

that this bill makes it clear we could do so. The first is, under all of the other titles of this bill that fund all the other operations of our Armed Forces we would have the authority to do so. And second, such an example is not a major contingency operation in Iran under the contemplation of the bill. So we would absolutely have the ability to interdict the creation or transport of IEDs.

Second, with respect to a hostage situation, rescuing hostages is not planning a major contingency operation in Iran. Nothing would preclude our military personnel from executing such a mission should the need arise, either under this title or under the other titles of the bill.

So as I said in my opening remarks, it is clear to me that under emergency or self-defense circumstances, there are no limitations whatsoever. What this amendment does is to properly assert the constitutional authority of this co-equal branch of government that if this country is to initiate hostilities, is to conduct a major contingency operation in Iran, the President must come to this body and ask for our permission.

Mr. Chairman, I would yield to my friend from Rhode Island.

Mr. KENNEDY. I support the gentleman's amendment, and I would just point out if this country has learned anything from the last 6 years, it has learned that there must be checks and balances in our government.

We have a war that has been proclaimed based upon lies. We have had a war that has been proclaimed based upon faulty intelligence. And we have had a war that has been proclaimed upon intelligence that has been manufactured. Now we have a public that has repeatedly felt that it has been lied to, and that they want to be heard by their Congress. All we are asking in this amendment is that their Congress have a chance to voice their own through the Representative's opinion before a Commander in Chief throws this country back into another war headlong without the American people having a voice in it.

Mr. ANDREWS. Mr. Chairman, I would yield to the gentleman from Missouri, the chairman of the committee.

Mr. SKELTON. I understand that the gentleman from California requires additional time; is that correct?

Mr. HUNTER. Would the gentleman yield an additional 3 minutes?

Mr. SKELTON. I yield to the gentleman.

Mr. HUNTER. I thank my friend for yielding.

Mr. Chairman, I would just respond to my friend from New Jersey in this way: It says that you can't plan for a major contingency. I am looking at scenarios, and if you have a scenario where you have convoys of IED material being moved from Iran into Iraq and you want to send a team over and make a strike and close a canyon or close a mountain pass or hit that convoy with a major strike, I think many

people would classify that as a major action, a major contingency.

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So I think that we blurred the line here in that we may have to take what I would consider and many Members here would consider to be major contingencies. The problem is, you have to take those things very quickly.

This war against terror is an era when time is truly of the essence, when hours are important, when minutes are important, when days are important. The idea we have to come back, if you have got to close a pass to keep IEDs that are killing Americans in Iraq from going across that line, we have to come back and get permission from Congress to do that, I think that is not a good advertisement or a good statement of impunity to communicate to the other side, where they think they now have an insulation between an immediate reaction by American Armed Forces.

That is the essence of our resistance to this amendment, and I think it is still very solid.

Mr. SKELTON. Mr. Chairman, I yield 1 minute to the gentleman from Rhode Island (Mr. KENNEDY).

Mr. KENNEDY. Mr. Chairman, I think this amendment ought to be called the "George W. Bush Amendment," because if it were any other President, I don't think we would have to worry about this. But this President has so undermined the confidence of the institution of the Presidency, it has brought this amendment to the floor; because I think this President has so jeopardized the confidence in the Presidency of the United States that the people, after the experience of this President, have become so distrustful that this President is going to drag them into another war under unwarranted circumstances that they would support an amendment like the one of the gentleman from New Jersey. And that is why I would call it the "George W. Bush Amendment," for no other reason than it is because of George W. Bush that this amendment seems to be necessary.

Mr. HUNTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me just say to my friend, I just reviewed it the other day, and I don't need to look at any statements by George W. Bush about whether or not we should have gone into Iraq, because the most damning statements about Saddam Hussein and his weapons of mass destruction, the most conclusive statements that indeed he must have them and that he must be brought to justice quickly, were not made by George W. Bush. They were made by people with the last name of Clinton, of Gore, of Kerry. I reviewed all of the videotapes of their speeches in which they absolutely laid out a case against Saddam Hussein.

So I hope we don't replot the ground of who shot John here in terms of statements with respect to the state of Iraq and its weapons of mass destruction.

I think we need to get back to the substance of this debate, and that is, are we foreclosing an immediate response if it is necessary.

Mr. SKELTON. Mr. Chairman, will the gentleman yield?

Mr. HUNTER. I yield to the gentleman from Missouri.

Mr. SKELTON. All you have to do, Mr. Chairman, is read the amendment. This amendment does not preclude any effort of expending funds from the base Defense authorization appropriation. This merely makes sure that the monies meant for Afghanistan, meant for Iraq, go to those soldiers, marines, sailors and airmen there. It is that simple.

As my old law school professor once said: read it. What does it say?

Mr. HUNTER. Mr. Chairman, I yield myself 30 seconds to explain again why I think it is impractical to put this dividing line between this funding.

If there has to be a strike, if there has to be preemption because IED material is moving across the border that could injure our soldiers, our sailors, our airmen, our marines, probably the reactive force is going to be led by one of the combatant commanders who is in the Iraqi theater and who is being funded by money under OEF or OIF. It is probably not going to come. And the idea you can't have uniformed personnel expending his time and his staff's time planning what it is going to take to defend his soldiers, sailors, airmen or marines from interference from the Iranian side of the border, is, in my estimation, not practical.

Those are the forces that are going to be responding, and I think we have to let them put together that contingency plan.

NOTICE TO ALTER ORDER OF CONSIDERATION OF AMENDMENTS

Mr. SKELTON. Mr. Chairman, pursuant to sections 3 and 4 of House Resolution 403, and as the chairman of the Committee on Armed Services, I request that during further consideration of H.R. 1585 in the Committee of the Whole and following consideration of amendment No. 38, the following amendments be considered in this order: amendments en bloc No. 2 and amendments numbered 20, 49, 31, 15 and 32.

The Acting CHAIRMAN. The gentleman from New Jersey (Mr. ANDREWS) has 3 minutes remaining.

Mr. ANDREWS. Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. McDERMOTT).

Mr. McDERMOTT. Mr. Chairman, this President has used the resolution that we passed some years ago as a blank check to take us into a disastrous situation in Iraq, leaving Afghanistan half done.

What we are trying to do with this amendment is simply say to the President, you have to stay where we put the money. If you want to come out and go after Iran in a preemptive way, as you did against Iraq when you had no evidence, when you came to this floor and presented evidence that